

United States Environmental Protection Agency (EPA)
National Pollutant Discharge Elimination System (NPDES)
MULTI-SECTOR GENERAL PERMIT FOR STORMWATER DISCHARGES
ASSOCIATED WITH INDUSTRIAL ACTIVITY (MSGP)

In compliance with the provisions of the Clean Water Act (CWA), as amended (33 U.S.C. 1251 *et seq.*), operators of stormwater discharges associated with industrial activity located in an area identified in Appendix C where EPA is the permitting authority are authorized to discharge to waters of the United States in accordance with the eligibility and Notice of Intent (NOI) requirements, effluent limitations, inspection requirements, and other conditions set forth in this permit. This permit is structured as follows:

- General requirements that apply to all facilities are found in Parts 1 through 7;
- Industry sector-specific requirements are found in Part 8; and
- Specific requirements that apply in individual states and Indian country are found in Part 9.

The Appendices (A through P) contain additional permit conditions that apply to all operators covered under this permit.

This permit becomes effective on **[insert date of final permit signature]**.

This permit and the authorization to discharge expire at midnight, **[insert date 5 years from date of final permit signature]**.

Name
Title, EPA Region 1

Signed and issued this Xth day of X, 2013

Name
Title, EPA Region 7

Signed and issued this Xth day of X, 2013

Name
Title, EPA Region 2 Caribbean Office

Signed and issued this Xth day of X, 2013

Name
Title, EPA Region 8

Signed and issued this Xth day of X, 2013

Name
Title, EPA Region 3

Signed and issued this Xth day of X, 2013

Name
Title, EPA Region 9

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Name
Title, EPA Region 5

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Name
Title, EPA Region 10

Signed and issued this Xth day of X, 2013

Name
Title, EPA Region 6

Signed and issued this Xth day of X, 2013

**NPDES MULTI-SECTOR GENERAL PERMIT FOR STORMWATER
DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY
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1. Coverage Under this Permit.

1.1 Eligibility.

1.1.1 Facilities Covered.

To be eligible to discharge under this permit, you must (1) have a stormwater discharge associated with industrial activity from your primary industrial activity, as defined in Appendix A, provided your primary industrial activity is included in Appendix D, or (2) be notified by EPA that you are eligible for coverage under Sector AD of this permit.

1.1.2 Allowable Stormwater Discharges.

Unless otherwise made ineligible under Part 1.1.4, the following discharges are eligible for coverage under this permit:

1.1.2.1 Stormwater discharges associated with industrial activity for any primary industrial activities and co-located industrial activities, as defined in Appendix A, except for any stormwater discharges specifically prohibited in Part 8;

1.1.2.2 Discharges designated by EPA as needing a stormwater permit as provided in Sector AD;

1.1.2.3 Discharges that are not otherwise required to obtain NPDES permit authorization but are commingled with discharges that are authorized under this permit; and

1.1.2.4 Discharges subject to any of the national stormwater-specific effluent limitations guidelines listed in Table 1-1.

Table 1-1. Stormwater-Specific Effluent Limitations Guidelines

Regulated Discharge	40 CFR Section	MSGP Sector	New Source Performance Standard (NSPS)	New Source Date
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	A	Yes	1/26/81
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Part 418, Subpart A	C	Yes	4/8/74
Runoff from asphalt emulsion facilities	Part 443, Subpart A	D	Yes	7/28/75
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	E	Yes	2/20/74
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, and D	J	No	N/A

Regulated Discharge	40 CFR Section	MSGP Sector	New Source Performance Standard (NSPS)	New Source Date
Runoff from hazardous waste and non-hazardous waste landfills	Part 445, Subparts A and B	K, L	Yes	2/2/00
Runoff from coal storage piles at steam electric generating facilities	Part 423	O	Yes	11/19/82 (10/8/74) ¹
Existing and new primary airports with 1,000 or more annual jet departures that discharge wastewater associated with airfield pavement deicing that contains urea commingled with stormwater	Part 449	S	Yes	6/15/12

1.1.3 Allowable Non-Stormwater Discharges.

The following are the only non-stormwater discharges authorized under this permit, provided that all discharges comply with the effluent limitations set forth in Part 2:

- Discharges from fire-fighting activities;
- Fire hydrant flushings;
- Potable water, including water line flushings;
- Uncontaminated condensate from air conditioners, coolers, and other compressors and from the outside storage of refrigerated gases or liquids;
- Irrigation drainage;
- Landscape watering provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved labeling;
- Pavement wash waters where no detergents or hazardous cleaning products are used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), and the wash waters do not come into contact with oil and grease deposits or any other toxic or hazardous materials (unless cleaned up using dry clean-up methods). You are prohibited from directing any authorized pavement wash waters directly into any surface water or storm drain inlet unless you have implemented appropriate control measures that meet the non-numeric effluent limits in Part 2.1.2. Where appropriate control measures are not in place, wash water runoff must first undergo treatment prior to discharge such as filtration, detention, or settlement;
- Routine external building washdown / power washwater that does not use detergents or hazardous cleaning products, (such as those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols);
- Uncontaminated ground water or spring water;
- Foundation or footing drains where flows are not contaminated with process materials;
- Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but not intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains); and

¹ NSPS promulgated in 1974 were not removed via the 1982 regulation; therefore wastewaters generated by Part 423-applicable sources that were New Sources under the 1974 regulations are subject to the 1974 NSPS.

- Discharges from the spray down of lumber and wood product storage yards where no chemical additives are used in the spray-down waters and no chemicals are applied to the wood during storage (applicable only to Sector A facilities provided the non-stormwater component of the discharge is in compliance with the non-numeric effluent limits requirements in Part 2.1.2).

Also allowed are discharges of stormwater listed above in Parts 1.1.2 or authorized non-stormwater discharges in Part 1.1.3, commingled with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES permit authorization. All other non-stormwater discharges requiring NPDES permit coverage except those specifically listed in Part 1.1.3 are not authorized by this permit. If non-stormwater discharges requiring NPDES permit coverage other than those specifically authorized in Part 1.1.3, including sector-specific non-stormwater discharges that are listed in Part 8 (a non-exclusive list provided to raise awareness of contaminants or sources of contaminants characteristic of certain sectors), will be discharged, such non-stormwater discharges are not covered by this permit or the permit shield provision of the CWA Section 402(k) and must be covered under another NPDES permit.

1.1.4 Limitations on Coverage.

Any discharges not expressly authorized under this permit are not within the scope of the pollutants authorized. Such discharges are not covered by this permit or the permit shield provision of the CWA Section 402(k) and they cannot become authorized or shielded by disclosure to EPA and/or state via the Notice of Intent (NOI) to be covered by the permit or by any other means (e.g., in the Stormwater Pollution Prevention Plan (SWPPP) or during an inspection).

1.1.4.1 For Discharges Mixed with Non-Stormwater. Stormwater discharges that are mixed with non-stormwater, other than those non-stormwater discharges listed in Part 1.1.3, are not eligible for coverage under this permit.

1.1.4.2 For Stormwater Discharges Associated with Construction Activity. Stormwater discharges associated with construction activity disturbing one acre or more, or that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one acre or more, are not eligible for coverage under this permit, unless in conjunction with mining activities or certain oil and gas extraction activities as specified in Sectors G, H, I, and J of this permit.

1.1.4.3 For Discharges Currently or Previously Covered by Another Permit. Unless you have received written notification from EPA specifically allowing these discharges to be covered under this permit, you are not eligible for coverage under this permit for any of the following:

- Stormwater discharges associated with industrial activity that are currently covered under an individual NPDES permit or an alternative NPDES general permit;
- Discharges covered within five years prior to the effective date of this permit by an individual permit or alternative general permit where that permit established site-specific numeric water quality-based limitations developed for the stormwater component of the discharge; or
- Discharges from facilities where any NPDES permit has been or is in the process of being denied, terminated, or revoked by EPA (this does not apply to the routine reissuance of permits every five years).

1.1.4.4 For Stormwater Discharges Subject to Effluent Limitations Guidelines. For discharges subject to stormwater effluent limitation guidelines under 40 CFR, Subchapter N, only those stormwater discharges identified in Table 1-1 are eligible for coverage under this permit.

1.1.4.5 Endangered and Threatened Species and Critical Habitat Protection. Coverage under this permit is available only if your stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities were the subject of an Endangered Species Act (ESA) consultation or an ESA Section 10 permit, or if your stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities are not likely to adversely affect any species that are federally-listed as endangered or threatened ("listed") under the ESA and are not likely to adversely affect habitat that is federally-designated as "critical habitat" under the ESA. You must meet one of the criteria below, following the procedures in Appendix E:

Criterion A. No federally-listed threatened or endangered species or their designated critical habitat(s) are likely to occur in the "action area" as defined in Appendix A. To certify your eligibility under this criterion, you must use the E.4 Criterion Selection worksheet. You must also provide a description of the basis for the criterion you selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP.

Criterion B. The industrial activity's discharges and discharge-related activities were already addressed in another operator's valid certification of eligibility for your action area under this permit and there is no reason to believe that federally-listed species or federally-designated critical habitat not considered in the prior certification may be present or located in the "action area" (e.g., due to a new species listing or critical habitat designation). To certify your eligibility under this criterion, there must be no lapse of NPDES permit coverage in the other operator's certification. You must also comply with any terms and conditions imposed under the other operator's valid certification of eligibility to ensure that your discharges and discharge-related activities are protective of listed species and/or critical habitat. To certify your eligibility under this criterion, you must use the E.4 Criterion Selection worksheet. You must include in your NOI the NPDES ID from the other operator's notification of authorization under this permit, and a description of the basis for the criterion selected on your NOI form, including the eligibility criterion selected by the other operator's certification. You must also provide any documentation in your SWPPP that supports the other operator's eligibility determination, as well as any terms and conditions imposed under the eligibility requirements that applied under the prior certification.

Criterion C. Federally-listed threatened or endangered species or their designated critical habitat(s) are likely to occur in or near your facility's "action area," and your industrial activity's discharges and discharge-related activities are not likely to adversely affect listed threatened or endangered species or critical habitat. To certify your eligibility under this criterion, you must use the E.4 Criterion Selection worksheet. At least 30 days prior to filing your NOI for permit coverage, you must submit to EPA and the Services your completed Criterion C worksheet. After evaluation of your worksheet, EPA may require additional controls that you must implement to avoid or eliminate adverse effects on listed species and critical habitat from discharges and discharge-related activities. You may submit your NOI for permit coverage 30 days after submitting your completed Criterion C

worksheet. You must provide a description of the basis for the criterion you selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP.

Criterion D. Consultation between a Federal Agency and the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service under section 7 of the ESA has been concluded. Consultations can be either formal or informal, and would have occurred only as a result of a separate federal action (e.g., during application for an individual wastewater discharge permit or the issuance of a wetlands dredge and fill permit), and consultation must have addressed the effects of the industrial activity's discharges and discharge-related activities on all federally-listed threatened or endangered species and all federally-designated critical habitat. The result of this consultation must be either:

- i. A biological opinion that concludes that the action in question (taking into account the effects of your facility's discharges and discharge-related activities) is not likely to jeopardize the continued existence of listed species, nor the destruction or adverse modification of critical habitat; or
- ii. Written concurrence from the applicable Service(s) with a finding that the facility's discharges and discharge-related activities are not likely to adversely affect federally-listed species or federally-designated critical habitat.

To certify your eligibility under this criterion, you must use the E.4 Criterion Selection worksheet. You must verify that the consultation remains valid, in accordance with 50 CFR §402.16. If reinitiation of consultation is required, in order to be eligible under this Criterion you must conclude the reinitiated consultation and the result of the consultation must be consistent with (i) or (ii) above.

If eligible, you must also provide supporting documentation for your determination in your NOI and SWPPP, including the Biological Opinion (or PCTS tracking number) or concurrence letter.

Criterion E. Your industrial activities are authorized through the issuance of a permit under section 10 of the ESA, and this authorization addresses the effects of the facility's discharges and discharge-related activities on federally-listed species and federally-designated critical habitat. To certify your eligibility under this criterion, you must use the E.4 Criterion Selection worksheet. You must also provide supporting documentation for your determination in your NOI and SWPPP, including a copy of the permit from the Services.

You must comply with any applicable terms, conditions, or other requirements developed in the process of meeting the eligibility criteria in this section to remain eligible for coverage under this permit. Documentation of these requirements must be kept as part of your SWPPP (see Part 5.2.6.1).

1.1.4.6 Historic Properties Preservation. Coverage under this permit is available only if you meet one of the eligibility criteria below, following the procedures in Appendix F:

Criterion A. There is no potential of an adverse effect on historic properties because there will be no new subsurface control measures (which include stormwater conveyances) constructed or installed; or

Criterion B. There are no historic properties or properties eligible for listing in the *National Register of Historic Places* within the area of potential effects (APE); or

Criterion C. Your subsurface stormwater controls have the potential to cause adverse effects on historic properties. After contacting in writing the EPA Regional office and the appropriate SHPO, THPO or an authorized tribal representative, you have coordinated with the SHPO, THPO or an authorized tribal representative (or EPA in coordination with the SHPO, THPO or an authorized tribal representative), and received a written conclusion that the subsurface stormwater controls will not cause adverse effects on historic properties; or I have entered into a written agreement with the SHPO, THPO or an authorized tribal representative (or EPA in coordination with the SHPO, THPO or an authorized tribal representative) regarding measures required to mitigate or prevent adverse effects on historic properties; or

Criterion D. Your subsurface stormwater controls have the potential to cause adverse effects on historic properties. You have contacted both the EPA Regional office and the SHPO, THPO or an authorized tribal representative in writing, and EPA provided the additional measures, if any, required for me to be eligible for permit coverage.

If you have been unable to reach agreement with a SHPO, THPO, or other tribal representative regarding appropriate measures to mitigate or prevent adverse effects, EPA may notify you of additional measures you must implement to be eligible for coverage under this permit.

1.1.4.7 Eligibility for New Dischargers: Based on Water Quality Standards. If you are a new discharger (as defined in Appendix A), you are not eligible for coverage under this permit for discharges that EPA, prior to authorization under this permit, determines will not meet any applicable water quality standard. Where such a determination is made prior to authorization, EPA may notify you that an individual permit application is necessary in accordance with Part 1.2.3. However, EPA may authorize your coverage under this permit after you have included appropriate controls and implementation procedures designed to ensure your discharge meets water quality standards. In the absence of information demonstrating otherwise, EPA expects that compliance with the stormwater control requirements of this permit, including the requirements applicable to such discharges in Part 2, will meet applicable water quality standards.

1.1.4.8 Eligibility for New Dischargers to Water-Quality Impaired Waters. If you are a new discharger (as defined in Appendix A), you are not eligible for coverage under this permit to discharge to an "impaired water" (as defined in Appendix A) unless you do one of the following:

- a. Prevent all exposure to stormwater of the pollutant(s) for which the waterbody is impaired, and retain documentation of procedures taken to prevent exposure onsite with your SWPPP.
- b. Prior to submitting your NOI, provide to the appropriate EPA Regional Office technical information or other documentation to support your claim that the pollutant(s) for which the waterbody is impaired is not present at your site, and retain such documentation with your SWPPP.
- c. Prior to submitting your NOI, provide to the appropriate EPA Regional Office information, either data or other technical documentation, to support a

conclusion that the discharge is expected to meet applicable water quality standards, and retain such information with your SWPPP. The information to be submitted must be sufficient to demonstrate:

- i. For discharges to waters without an EPA-approved or established TMDL, that the discharge of the pollutant for which the water is impaired will meet in-stream water quality criteria at the point of discharge to the waterbody; or
- ii. For discharges to waters with an applicable EPA-approved or established TMDL, which specifically provides for a wasteload allocation to stormwater or determined that stormwater was not a source of the impairment, that there are sufficient remaining wasteload allocations in the TMDL to allow your discharge and that existing dischargers to the waterbody are subject to compliance schedules designed to bring the waterbody into attainment with water quality standards.

You are eligible under Part 1.1.4.8.c if you receive an affirmative determination from the Regional Office that your discharge will meet applicable water quality standards, in which case you must maintain such determination onsite with your SWPPP, or if the Regional Office fails to respond within 30 days of submission of data to the Regional Office.

Note: Your project will be considered to discharge to an impaired water if the first water of the U.S. to which you discharge is identified by a state, tribe, or EPA pursuant to Section 303(d) of the CWA as not meeting an applicable water quality standard, or is included in an EPA-approved or established total maximum daily load (TMDL). For discharges that enter a storm sewer system prior to discharge, the first water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

1.1.4.9 Eligibility for New Dischargers to Waters with High Water Quality.

For new dischargers to Tier 2 or Tier 2.5 waters:

If you are a new discharger (as defined in Appendix A), you are eligible to discharge to a Tier 2 or Tier 2.5 water only if your discharge will not lower the water quality of the applicable water. See a list of Tier 2 and Tier 2.5 waters in Appendix L.

For new dischargers to Tier 3 waters:

If you are a new discharger (as defined in Appendix A), you are not eligible for coverage under this permit for discharges to waters designated by a state or tribe as Tier 3 (outstanding natural resource waters) for antidegradation purposes under 40 CFR 131.13(a)(3). See a list of Tier 3 waters in Appendix L.

Note: Your project will be considered to discharge to a Tier 2, Tier 2.5, or Tier 3 water if the first water of the US to which you discharge is identified by a state, tribe, or EPA as a Tier 2, Tier 2.5, or Tier 3 water. For discharges that enter a storm sewer system prior to discharge, the first water of the US to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

1.1.4.10 For Discharges to a Federal CERCLA Site. If you discharge to a federal CERCLA Site as defined in Appendix A and referenced in Appendix P, you are ineligible for coverage under this permit, unless you notify your applicable EPA Regional Office in advance and

the EPA Regional Office determines that you are eligible for permit coverage pursuant to Part 1.1.4.10. In determining eligibility for coverage under this Part, the EPA Regional Office may evaluate whether you have included appropriate controls and implementation procedures designed to ensure your discharge will not lead to recontamination of aquatic media at the CERCLA Site. If it is determined that your facility discharges to a CERCLA Site referenced in Appendix P after you have obtained coverage under this permit, you must contact your applicable EPA Regional Office and develop appropriate controls and/or implementation procedures to ensure that your discharges will not lead to recontamination of aquatic media at the CERCLA Site.

For the purposes of this permit, a permittee discharges to a federal CERCLA Site if the discharge flows directly into the site through its own conveyance, or a through a conveyance owned by others, such as a municipal separate storm sewer system.

1.2 Authorization Under this Permit.

1.2.1 How to Obtain Authorization.

To obtain authorization under this permit, you must:

- Be located in a state, territory, or Indian country, or be a federal operator identified in Appendix C where EPA is the permitting authority;
- Meet the Part 1.1 eligibility requirements;
- Select, design, install, and implement control measures in accordance with Part 2.1 to meet numeric and non-numeric effluent limits;
- Develop a SWPPP according to the requirements in Part 5 of this permit or update your existing SWPPP consistent with Part 5 prior to submitting your NOI for coverage under this permit; and
- Submit a complete and accurate NOI in accordance with this Part.

1.2.1.1 Submitting Your Notice of Intent (NOI). To be covered under this permit, you must submit to EPA a complete and accurate NOI by the deadline applicable to your facility presented in Table 1-2. The NOI certifies to EPA that you are eligible for coverage according to Part 1.1, and provides information on your industrial activities and related discharges.

You must complete the development of a SWPPP or update your existing SWPPP consistent with Part 5 prior to submitting your NOI for coverage under this permit. If you choose to post your SWPPP on the Internet according to Part 5.4.1, you must include the URL on your eNOI form and this URL must directly link to the SWPPP (not just the corporate or facility homepage). If you do not post your SWPPP online, you must enter additional facility information from your SWPPP, in accordance with Part 5.4.2.

1.2.1.2 How to Submit Your NOI. You must submit your NOI, electronically, unless you have received a waiver from electronic reporting as described in Part 7.1.

1.2.1.3 Deadlines for Submitting Your NOI and Your Official Date of Permit Coverage. Table 1-2 provides the deadlines for submitting your NOI and your official start date of permit coverage.

Table 1-2. NOI Submittal Deadlines/2013 MSGP Discharge Authorization Dates

Category	NOI Submission Deadline	Discharge Authorization Date^{1, 2}
Existing dischargers that were authorized for coverage under the 2008 MSGP	No later than [90 days after permit issuance].	30 days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization has been denied or delayed. <i>Note: You must review and update your SWPPP to ensure that this permit's requirements are addressed prior to submitting your NOI.</i> Your authorization under the 2008 MSGP is automatically continued until you have been granted coverage under this permit or an alternative permit, or coverage is otherwise terminated.
New dischargers or existing dischargers not authorized for coverage under the 2008 MSGP	A minimum of 30 days prior to commencing discharge.	30 days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization has been denied or delayed.
New owner/operator of existing discharger whose discharge is authorized under this permit	A minimum of 30 days prior to the date that the transfer to the new owner/operator will take place.	30 days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization has been denied or delayed.
Other eligible facilities – Facilities that commenced discharging prior to [date of permit issuance], but not covered under the 2008 MSGP or another NPDES permit	Immediately, to minimize the time discharges from the facility will continue to be unauthorized.	30 days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization has been denied or delayed.

¹ If you have missed the deadline to submit your NOI, any and all discharges from your industrial activities will continue to be unauthorized under the Clean Water Act until they are covered by this or a different NPDES permit. EPA may take enforcement action for any unpermitted discharges that occur between the commencement of discharging and discharge authorization.

² Discharges are not authorized if your NOI is incomplete or inaccurate or if you were never eligible for permit coverage.

1.2.2 Continuation of Coverage for Existing Permittees After the Permit Expires.

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedure Act and 40 CFR 122.6 and remain in force and effect for discharges that were covered prior to expiration. If you were authorized to discharge under this permit prior to the expiration date, any discharges authorized under this permit will automatically remain covered by this permit until the earliest of:

- Your authorization for coverage under a reissued permit or a replacement version of this permit following your timely submittal of a complete and accurate NOI requesting coverage under the new permit; or

Note: If you fail to submit a timely NOI for coverage under the reissued or replacement permit, your coverage will terminate on the date that the NOI was due.

- Your submittal of a Notice of Termination (NOT); or
- Issuance of an individual permit for the facility's discharges; or
- A formal permit decision by EPA not to reissue this general permit, at which time EPA will identify a reasonable time period for covered dischargers to seek coverage under an alternative general permit or an individual permit. Coverage under this permit will cease at the end of this time period.

EPA reserves the right to modify or revoke and reissue this permit under 40 CFR 122.62 and 63, in which case you will be notified of any relevant changes or procedures to which you may be subject.

1.2.3 Coverage Under Alternative Permits.

EPA may require you to apply for and/or obtain authorization to discharge under an alternative permit, i.e., either an individual NPDES permit or an alternative NPDES general permit, in accordance with 40 CFR 122.64 and 124.5. Any interested person may petition EPA to take action under this paragraph. If EPA requires you to apply for an alternative permit, the Agency will notify you in writing that a permit application is required. This notification will include a brief statement of the reasons for this decision and will contain alternative permit application requirements, including deadlines for completing your application.

1.2.3.1 Denial of Coverage for New or Previously Unpermitted Facilities. For new or previously unpermitted facilities, following your submittal of your NOI, you may be denied coverage under the 2013 MSGP and must apply for and/or obtain authorization to discharge under an alternative permit, according to the provisions of Part 1.2.3.

1.2.3.2 Loss of Authorization Under the 2013 MSGP for Existing Permitted Facilities. If your stormwater discharges are covered under this permit, you may receive a written notification that you must either apply for coverage under an individual NPDES permit or an alternative general NPDES permit, according to the provisions of Part 1.2.3. In addition to the reasons for the decision and alternative permit application deadlines, the notice will include a statement that on the effective date of your alternative permit coverage, your coverage under the 2013 MSGP will terminate. EPA may grant additional time to submit the application if you request it. If you fail to submit an alternative permit application as required by EPA, then your authorization to discharge under the 2013 MSGP is terminated at the end of the day EPA required you to submit your alternative permit application. EPA may take appropriate enforcement action for any unpermitted discharge. When you become authorized to discharge under an alternative permit, your coverage under the 2013 MSGP is terminated on the effective date your replacement permit coverage.

1.2.3.3 Operator Requesting Coverage Under an Alternative Permit. You may request to be excluded from coverage under this general permit by applying for an individual permit. In such a case, you must submit an individual permit application in accordance with the requirements of 40 CFR 122.28(b)(3)(iii), with reasons supporting the request, to EPA at the applicable EPA Regional Office listed in Part 7.9.1 of this permit. The request may be granted by issuance of an individual permit or authorization of coverage under an alternative general permit if your reasons are adequate to support the request. When you are authorized to discharge under an alternative permit, your authorization to discharge under the 2013 MSGP is terminated on the effective date of the alternative permit.

1.3 Terminating Coverage.

1.3.1 Submitting a Notice of Termination (NOT).

To terminate permit coverage, you must submit a complete and accurate NOT. Your authorization to discharge under this permit terminates at midnight of the day that you are notified that your complete NOT has been processed. If you submit a NOT without meeting one or more of the conditions identified in Part 1.3.3, then your NOT is not valid. You are responsible for meeting the terms of this permit until your authorization is terminated.

1.3.2 How to Submit Your NOT.

See Part 7.2 for information on how to submit required information to EPA.

1.3.3 When to Submit Your NOT.

You must submit a NOT within 30 days after one or more of the following conditions have been met:

- A new owner or operator has taken over responsibility for the facility; or
- You have ceased operations at the facility, there are not or no longer will be discharges of stormwater associated with industrial activity from the facility, and you have already implemented necessary sediment and erosion controls as required by Part 2.1.2.5; or
- You are a Sector G, H, or J facility and you have met the applicable termination requirements; or
- You have obtained coverage under an individual or alternative general permit for all discharges required to be covered by an NPDES permit, unless EPA has required that you obtain such coverage under authority of Part 1.2.3, in which case coverage under this permit will terminate automatically.

1.4 Conditional Exclusion for No Exposure.

If you are covered by this permit, and become eligible for a "no exposure" exclusion from permitting under 40 CFR 122.26(g), you may file a No Exposure Certification. You are no longer required to have a permit upon submission of a complete and accurate no exposure certification to EPA. If you are no longer required to have permit coverage because of a no exposure exclusion and have submitted a No Exposure Certification form to EPA, you are not required to submit a NOT. See Part 7.2 for information on how to submit required information to EPA.

You must submit a No Exposure Certification to EPA once every five years.

1.5 Permit Compliance.

Any noncompliance with any of the requirements of this permit constitutes a violation of this permit, issued under the CWA. As detailed in Part 4 (Corrective Actions) of this permit, failure to take any required corrective actions constitutes an independent, additional violation of this permit, in addition to any original violation that triggered the need for corrective action. As such, any actions and time periods specified for remedying noncompliance do not absolve parties of the initial underlying noncompliance.

Where corrective action is triggered by an event that does not itself constitute permit noncompliance, such as an exceedance of an applicable benchmark, there is no permit violation provided you take the required corrective action within the relevant deadlines established in Part 4.2.

2. Control Measures and Effluent Limits.

In the technology-based limits included in Parts 2.1 and 8, the term “minimize” means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice.

2.1 Control Measures.

You must select, design, install, and implement control measures (including best management practices) to address the selection and design considerations in Part 2.1.1, meet the non-numeric effluent limits in Part 2.1.2, meet limits contained in applicable effluent limitations guidelines in Part 2.1.3, and meet the water quality-based effluent limitations in Part 2.2. The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and manufacturer’s specifications. Note that you may deviate from such manufacturer’s specifications where you provide justification for such deviation and include documentation of your rationale in the part of your SWPPP that describes your control measures, consistent with Part 5.2.4. If you find that your control measures are not achieving their intended effect of minimizing pollutant discharges, you must modify these control measures in accordance with the corrective action requirements set forth in Part 4. Regulated stormwater discharges from your facility include stormwater run-on that commingles with stormwater discharges associated with industrial activity at your facility.

Effluent limit requirements in Part 2.1.2 that do not involve the site-specific selection of a control measure or are specific activity requirements (e.g., “Drain fluids from equipment and vehicles that will be decommissioned”) are marked with an asterisk (*). When documenting in your SWPPP in Part 5 how you will comply with the requirements marked with an asterisk, you have the option of including additional information or you may just “cut-and-paste” the effluent limits verbatim into your SWPPP without providing additional documentation (see Part 5.2.4).

2.1.1 Control Measure Selection and Design Considerations.

You must consider the following when selecting and designing control measures:

- Preventing stormwater from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from stormwater;
- Using control measures in combination is more effective than using control measures in isolation for minimizing pollutants in your stormwater discharge;
- Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures that will achieve the limits in this permit;
- Minimizing impervious areas at your facility and infiltrating runoff onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve ground water recharge and stream base flows in local streams, although care must be taken to avoid ground water contamination;

- Attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
- Conserving and/or restoring riparian buffers will help protect streams from stormwater runoff and improve water quality; and
- Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

2.1.2 Non-Numeric Technology-Based Effluent Limits (BPT/BAT/BCT).

In addition to complying with the non-numeric technology-based effluent limits in Part 8, you must also:

2.1.2.1 Minimize Exposure. You must minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings. In minimizing exposure, you must:

- Use grading, berming or curbing to prevent runoff of contaminated flows and divert run-on away from these areas, unless infeasible;
- Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be contained or diverted before discharge;
- Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- Unless infeasible, store leaky vehicles and equipment indoors or, if stored outdoors, use drip pans and absorbents;
- Use spill/overflow protection equipment;
- Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray;
- Drain fluids from equipment and vehicles that will be decommissioned or will remain unused for extended periods of time;* and
- Ensure that all washwater, with the exception of discharges from pavement wash water and routine building washdown described in Part 1.1.3, drains to a sanitary sewer, sump, or other proper collection system (i.e., not the stormwater drainage system).*

The discharge of vehicle and equipment washwater, including tank cleaning operations, is not authorized by this permit. These wastewaters must be covered under a separate NPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or disposed of otherwise in accordance with applicable law.

Note: Industrial materials do not need to be enclosed or covered if stormwater runoff from affected areas does not discharge to receiving waters or if discharges are authorized under another NPDES permit.

2.1.2.2 Good Housekeeping. You must keep clean all exposed areas that are potential sources of pollutants. You must perform good housekeeping measures, including but not limited to, the following:

- Sweep or vacuum at regular intervals;
- Store materials in appropriate containers;

- Identify and control all on-site sources of dust to minimize stormwater contamination from the deposition of dust on areas exposed to precipitation;
- Keep all dumpsters under cover or fit with a lid that must remain closed when not in use;* and
- Ensure that waste, garbage, and floatable debris are not discharged to receiving waters by keeping exposed areas free of such materials or by intercepting them before they are discharged.

Plastic Materials Requirements: Facilities that handle pre-production plastic pellets are required to implement best management practices to eliminate discharges of plastic in stormwater. Examples of plastic material required to be addressed as stormwater pollutants include plastic resin pellets, powders, flakes, additives, regrind, scrap, waste and recycling.

2.1.2.3 Maintenance. You must maintain all control measures that are used to achieve the effluent limits required by this permit in effective operating condition, as well as all industrial equipment and systems to help prevent discharges of pollutants from them. This includes:

- Performing inspections and preventive maintenance of stormwater drainage, source controls, treatment systems, and plant equipment and systems that could fail and result in contamination of stormwater.
- Diligently maintaining nonstructural control measures (e.g., keep spill response supplies available, personnel appropriately trained).
- Inspecting and maintaining bag houses quarterly to prevent the escape of dust from the system and immediately removing any accumulated dust at the base of the exterior bag house.*
- Cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth and keeping the debris surface at least six inches below the outlet pipe.*

If you find that your control measures need to be replaced or repaired, you must immediately take all reasonable steps to prevent or minimize the discharge of pollutants until a permanent solution is installed and made operational, including cleaning up any contaminated surfaces so that the material will not discharge during subsequent storm events.

Note: In this context, the term "immediately" requires you to, on the same day you identify that a control measure needs to be replaced or repaired, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to take action, the initiation of action must begin on the following work day.

2.1.2.4 Spill Prevention and Response. You must minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur. You must conduct spill prevention and response measures, including but not limited to, the following:

- Plainly label containers (e.g., "Used Oil," "Spent Solvents," "Fertilizers and Pesticides") that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;*

- Implement procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the discharge of pollutants from these areas;
- Develop training on the procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. As appropriate, execute such procedures as soon as possible.
- Keep spill kits on-site, located near areas where spills may occur; and
- Notify appropriate facility personnel, emergency response agencies, and regulatory agencies when a leak, spill, or other release occurs.

Where a leak, spill or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period, you must notify the National Response Center (NRC) at (800) 424-8802 or, in the Washington, DC, metropolitan area, call (202) 267-2675 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as you have knowledge of the discharge. State or local requirements may necessitate reporting spills or discharges to local emergency response, public health, or drinking water supply agencies. Contact information must be in locations that are readily accessible and available.

2.1.2.5 Erosion and Sediment Controls. You must minimize erosion by stabilizing exposed soils at your facility and placing flow velocity dissipation devices at discharge locations. You must also use structural and non-structural control measures to prevent the discharge of sediment. If you use polymers and/or other chemical treatments as part of your controls, you must identify the polymers and/or chemicals used and the purpose. There are many resources available to help you select appropriate BMPs for erosion and sediment control, including EPA's Stormwater Discharges from Construction Activities website at: www.epa.gov/npdes/stormwater/construction.

2.1.2.6 Management of Runoff. You must divert, infiltrate, reuse, contain, or otherwise reduce stormwater runoff, to minimize pollutants in your discharges. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with EPA's internet-based resources relating to runoff management, including the sector-specific *Industrial Stormwater Fact Sheet Series*, (www.epa.gov/npdes/stormwater/msgp), *National Menu of Stormwater BMPs* (www.epa.gov/npdes/stormwater/menuofbmps), and *National Management Measures to Control Nonpoint Source Pollution from Urban Areas* (www.epa.gov/owow/nps/urbanmm/index.html), and any similar state or tribal resources.

2.1.2.7 Salt Storage Piles or Piles Containing Salt. You must enclose or cover storage piles of salt, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces. You must implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile. Piles do not need to be enclosed or covered if stormwater runoff from the piles is not discharged or if discharges from the piles are authorized under another NPDES permit.

2.1.2.8 Employee Training. You must train all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors,

maintenance personnel), including all members of your Pollution Prevention Team. You must ensure the following personnel understand the requirements of this permit and their specific responsibilities with respect to those requirements:

- Personnel who are responsible for the design, installation, maintenance, and/or repair of controls (including pollution prevention measures);
- Personnel responsible for the storage and handling of chemicals and materials that could become contaminants in stormwater discharges;
- Personnel who are responsible for conducting and documenting monitoring and inspections as required in Parts 3 and 6; and
- Personnel who are responsible for taking and documenting corrective actions as required in Part 4.

Personnel must be trained in at least the following if related to the scope of their job duties (e.g., only personnel responsible for conducting inspections need to understand how to conduct inspections):

- An overview of what is in the SWPPP;
- Spill response procedures, good housekeeping, maintenance requirements, and material management practices;
- The location of all controls on the site required by this permit, and how they are to be maintained;
- The proper procedures to follow with respect to the permit's pollution prevention requirements; and
- When and how to conduct inspections, record applicable findings, and take corrective actions.

2.1.2.9 Non-Stormwater Discharges. If non-stormwater discharges requiring NPDES permit coverage other than those specifically authorized in Part 1.1.3 will be discharged, such non-stormwater discharges are not covered by this permit or the permit shield provision of the CWA Section 402(k) and must be covered under another NPDES permit.

2.1.2.10 Dust Generation and Vehicle Tracking of Industrial Materials. You must minimize generation of dust and off-site tracking of raw, final, or waste materials.

2.1.3 Numeric Effluent Limitations Based on Effluent Limitations Guidelines.

If you are in an industrial category subject to one of the effluent limitations guidelines identified in Table 6-1 (see Part 6.2.2.1), you must meet the effluent limits referenced in Table 2-1 below:

Table 2-1. Applicable Effluent Limitations Guidelines

Regulated Activity	40 CFR Part/Subpart	Effluent Limit
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	See Part 8.A.7
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Part 418, Subpart A	See Part 8.C.4
Runoff from asphalt emulsion facilities	Part 443, Subpart A	See Part 8.D.4

Regulated Activity	40 CFR Part/Subpart	Effluent Limit
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	See Part 8.E.5
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, or D	See Part 8.J.9
Runoff from hazardous waste landfills	Part 445, Subpart A	See Part 8.K.6
Runoff from non-hazardous waste landfills	Part 445, Subpart B	See Part 8.L.10
Runoff from coal storage piles at steam electric generating facilities	Part 423	See Part 8.O.8
Existing and new primary airports with 1,000 or more annual jet departures that discharge wastewater associated with airfield pavement deicing that contains urea commingled with stormwater	Part 449	See Part 8.S.7

2.2 Water Quality-Based Effluent Limitations.

2.2.1 Water Quality Standards.

Your discharge must be controlled as necessary to meet applicable water quality standards.

EPA expects that compliance with the conditions in this permit will control discharges as necessary to meet applicable water quality standards. If at any time you become aware, or EPA determines, that your discharge does not meet applicable water quality standards, you must take corrective action as required in Part 4.1 and document the corrective actions as required in Part 4.3. You must also comply with any additional requirements that your state or tribe requires in Part 9.

EPA may also impose additional water quality-based limitations on a site-specific basis, or require you to obtain coverage under an individual permit, if information in your NOI, required reports, or from other sources indicates that your discharges are not controlled as necessary to meet applicable water quality standards. You must implement all controls necessary to comply with a wasteload allocation in an EPA established or approved TMDL.

2.2.2 Discharges to Water Quality-Impaired Waters.

Note: Your project will be considered to discharge to an impaired water if the first water of the U.S. to which you discharge is identified by a state, tribe, or EPA pursuant to Section 303(d) of the CWA as not meeting an applicable water quality standard, or is included in an EPA-approved or established total maximum daily load (TMDL). For discharges that enter a storm sewer system prior to discharge, the first water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

2.2.2.1 Existing Discharge to an Impaired Water with an EPA-Approved or Established TMDL. If you discharge to an impaired water with an EPA approved or established TMDL, EPA will inform you if any additional limits or controls are necessary for your discharge to be consistent with the assumptions of any available wasteload allocation in the TMDL, or if coverage under an individual permit is necessary in accordance with Part 1.5.1.

2.2.2.2 Existing Discharge to an Impaired Water without an EPA-Approved or Established TMDL. If you discharge to an impaired water without an EPA approved or established TMDL, you are still required to comply with Part 2.2.1, and you must comply with the monitoring requirements of Part 6.2.4. Note that this provision also applies to situations where EPA determines that your discharge is not controlled as necessary to meet water quality standards in a downstream water segment, even if your discharge is to a receiving water that is not specifically identified on a Section 303(d) list.

2.2.2.3 New Discharge to an Impaired Water. If your authorization to discharge under this permit relied on Part 1.1.4.8 for a new discharge to an impaired water, you must implement and maintain any control measures or conditions on your site that enabled you to become eligible under Part 1.1.4.8, and modify such measures or conditions as necessary pursuant to any Part 4 corrective actions. You are also required to comply with Part 2.2.1 and the monitoring requirements of Parts 6.2.4.

2.2.3 Tier 2 Antidegradation Requirements for New or Increased Dischargers.

If you are a new discharger, or an existing discharger required to notify EPA of an increased discharge consistent with Part 7.7 (i.e., a “planned changes” report), and you discharge directly to waters designated by a state or tribe as Tier 2 or Tier 2.5 for antidegradation purposes under 40 CFR 131.12(a), in the absence of information demonstrating otherwise, EPA expects that compliance with the stormwater control requirements of this permit will result in discharges that will not lower the water quality of the applicable water. See list of Tier 2 and 2.5 waters in Appendix L. However, EPA may notify you that additional analyses, control measures, or other permit conditions are necessary to comply with the applicable antidegradation requirements, or notify you that an individual permit application is necessary in accordance with Part 2.2.1.

2.3 Requirements Relating to Endangered Species and Historic Properties.

If your eligibility under either Part 1.1.4.5 or Part 1.1.4.6 was made possible through your, or another operator's, agreement to include certain measures or prerequisite actions, or implement certain terms and conditions, you must comply with all such agreed-upon requirements to maintain eligibility under the MSGP.

3. Inspections.

3.1 Routine Facility Inspections.

During normal facility operating hours you must conduct inspections of areas of the facility covered by the requirements in this permit, including the following:

- Areas where industrial materials or activities are exposed to stormwater.
- Areas identified in the SWPPP and those that are potential pollutant sources (see Part 5.2.3).
- Areas where spills and leaks have occurred in the past 3 years.
- Discharge points.
- Control measures used to comply with the effluent limits contained in this permit.

Inspections must be conducted at least quarterly (i.e., once each calendar quarter), or in some instances more frequently (e.g., monthly), as appropriate. Increased frequency may be appropriate for some types of equipment, processes and stormwater control measures, or areas

of the facility with significant activities and materials exposed to stormwater. At least one of your routine inspections must be conducted during a period when a stormwater discharge is occurring.

Inspections must be performed by qualified personnel (as defined in Appendix A) with at least one member of your stormwater pollution prevention team participating. Inspectors must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections.

During the inspection you must examine or look out for the following:

- Industrial materials, residue or trash that may have or could come into contact with stormwater.
- Leaks or spills from industrial equipment, drums, tanks and other containers.
- Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site.
- Tracking or blowing of raw, final or waste materials from areas of no exposure to exposed areas.
- Control measures needing replacement, maintenance or repair.

During an inspection occurring during a stormwater discharge, control measures implemented to comply with effluent limits must be observed to ensure they are functioning correctly. Discharge points, as defined in Appendix A, must also be observed during this inspection. If such discharge locations are inaccessible, nearby downstream locations must be inspected.

3.1.1 Exceptions to Routine Facility Inspections for Inactive and Unstaffed Sites.

The requirement to conduct facility inspections on a routine basis does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. Such a facility is only required to conduct an annual site inspection in accordance with Part 3.1. To invoke this exception, you must indicate your facility is inactive and unstaffed on your NOI. If you are already covered under the permit and your facility has changed from active to inactive and unstaffed, you must modify your NOI. You must also maintain a statement in your SWPPP pursuant to Part 5.2.5.2 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Appendix B, Subsection 11. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately resume routine facility inspections. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, you must include the same signed and certified statement as above and retain it with your records pursuant to Part 5.5.

Inactive and unstaffed facilities covered under Sectors G (Metal Mining), H (Coal Mines and Coal Mining-Related Facilities), and J (Non-Metallic Mineral Mining and Dressing), are not required to meet the “no industrial materials or activities exposed to stormwater” standard to be eligible for this exception from routine inspections, consistent with the requirements established in Parts 8.G.8.4, 8.H.8.1, and 8.J.8.1.

3.1.2 Routine Facility Inspection Documentation.

You must document the findings of your facility inspections and maintain this report with your SWPPP as required in Part 5.5. Do not submit your routine facility inspection report to EPA, unless specifically requested to do so. However, you must summarize your findings in the annual report per Part 7.5. Document all findings, including but not limited to, the following information:

- The inspection date and time;
- The name(s) and signature(s) of the inspector(s);
- Weather information;
- All observations relating to the implementation of control measures at the facility, including:
 - A description of any discharges occurring at the time of the inspection;
 - Any previously unidentified discharges and/or pollutants from the site;
 - Any evidence of, or the potential for, pollutants entering the drainage system;
 - Observations regarding the physical condition of and around all outfalls including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;
 - Any control measures needing maintenance, repairs, or replacement;
- Any additional control measures needed to comply with the permit requirements; and
- Any incidents of noncompliance observed.

Any corrective action required as a result of a routine facility inspection must be performed consistent with Part 4 of this permit.

If you performed a discharge visual assessment required in Part 3.2 during your facility inspection, you may include the results of the assessment with the report required in Part 3.1.2, as long as all components of both types of inspections are included in the report.

3.2 Quarterly Visual Assessment of Stormwater Discharges.

3.2.1 Quarterly Visual Assessment Procedures.

Once each quarter for the entire permit term, you must collect a stormwater sample from each outfall (except as noted in Part 3.2.3) and conduct a visual assessment of each of these samples. These samples are not required to be collected consistent with 40 CFR Part 136 procedures but should be collected in such a manner that the samples are representative of the stormwater discharge. Guidance on monitoring is available at www.epa.gov/npdes/stormwater/msgp.

The visual assessment must be made:

- Of a sample in a clean, clear glass, or plastic container, and examined in a well-lit area;
- On samples collected within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample must be collected as soon as practicable after the first 30 minutes and you must document why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, samples must be taken during a period with a measurable discharge from your site; and
- For storm events, on discharges that occur at least 72 hours (3 days) from the previous discharge. The 72-hour (3-day) storm interval does not apply if you

document that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period.

You must visually inspect or observe the sample for the following water quality characteristics:

- Color;
- Odor;
- Clarity (diminished);
- Floating solids;
- Settled solids;
- Suspended solids;
- Foam;
- Oil sheen; and
- Other obvious indicators of stormwater pollution.

Whenever the visual assessment shows obvious signs of stormwater pollution, you must initiate the corrective action procedures in Part 4.

3.2.2 Quarterly Visual Assessment Documentation.

You must document the results of your visual assessments and maintain this documentation onsite with your SWPPP as required in Part 5.5. You are not required to submit your visual assessment findings to EPA, unless specifically requested to do so. Your documentation of the visual assessment must include, but not be limited to:

- Sample location(s);
- Sample collection date and time, and visual assessment date and time for each sample;
- Personnel collecting the sample and performing visual assessment, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the stormwater discharge;
- Probable sources of any observed stormwater contamination; and
- If applicable, why it was not possible to take samples within the first 30 minutes.

Any corrective action required as a result of a quarterly visual assessment must be performed consistent with Part 4 of this permit.

3.2.3 Exceptions to Quarterly Visual Assessments.

Adverse Weather Conditions: When adverse weather conditions prevent the collection of samples during the quarter, you must take a substitute sample during the next qualifying storm event. Documentation of the rationale for no visual assessment for the quarter must be included with your SWPPP records as described in Part 5.5. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, or electrical storms, or situations that otherwise make sampling impractical, such as extended frozen conditions.

Climates with Irregular Stormwater Runoff: If your facility is located in an area where limited rainfall occurs during many parts of the year (e.g., arid or semi-arid climate) or in an area where freezing conditions exist that prevent runoff from occurring for extended periods, then your samples for the quarterly visual assessments may be distributed during seasons when precipitation runoff occurs.

Areas Subject to Snow: In areas subject to snow, at least one quarterly visual assessment must capture snowmelt discharge, as described in Part 6.1.3, taking into account the exception described above for climates with irregular stormwater runoff.

Inactive and Unstaffed Sites: The requirement for a quarterly visual assessment does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. To invoke this exception, you must maintain a statement in your SWPPP as required in Part 5.2.5.2 indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement must be signed and certified in accordance with Appendix B, Subsection 11. If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately resume quarterly visual assessments. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must include the same signed and certified statement as above and retain it with your records pursuant to Part 5.5.

Inactive and unstaffed facilities covered under Sectors G (Metal Mining), H (Coal Mines and Coal Mining-Related Facilities), and J (Non-Metallic Mineral Mining and Dressing), are not required to meet the “no industrial materials or activities exposed to stormwater” standard to be eligible for this exception from quarterly visual assessment, consistent with the requirements established in Parts 8.G.8.4, 8.H.8.1, and 8.J.8.1.

Substantially Identical Outfalls: If your facility has two or more outfalls that you believe discharge substantially identical effluents, as documented in Part 5.2.5.3, you may conduct quarterly visual assessments of the discharge at just one of the outfalls and report that the results also apply to the substantially identical outfall(s) provided that you perform visual assessments on a rotating basis of each substantially identical outfall throughout the period of your coverage under this permit.

If stormwater contamination is identified through visual assessment performed at a substantially identical outfall, you must assess and modify your control measures as appropriate for each outfall represented by the monitored outfall.

4. Corrective Actions.

4.1 Conditions Requiring SWPPP Review and Revision to Eliminate Problems.

When any of the following conditions occur or are detected during an inspection, monitoring or other means, or the EPA, or local, state or tribal entity informs you that any of the following conditions has occurred, you must review your SWPPP (e.g., sources of pollution, spill and leak procedures, non-stormwater discharges, selection, design, installation and implementation of your control measures) to determine if and where revisions may need to be made to eliminate the condition, prevent its reoccurrence, and ensure that effluent limits are met:

- An unauthorized release or discharge (e.g., spill, leak, or discharge of non-stormwater not authorized by this or another NPDES permit) occurs at your facility.

- A discharge violates a numeric effluent limit.
- Your control measures are not stringent enough for the discharge to meet applicable water quality standards or the non-numeric effluent limits in this permit.
- A required control measure was never installed, was installed incorrectly, or not in accordance with Parts 2 and/or 8, or is not being properly operated or maintained.
- Visual assessments indicate obvious signs of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam).
- The average of four quarterly sampling results exceeds an applicable benchmark (see Part 6.2.1.2). If less than four benchmark samples have been taken, but the results are such that an exceedance of the four quarter average is mathematically certain (i.e., if the sum of quarterly sample results to date is more than four times the benchmark level) this is considered a benchmark exceedance, triggering this review.
- Construction or a change in design, operation, or maintenance at your facility that significantly changes the nature of pollutants discharged in stormwater from your facility, or significantly increases the quantity of pollutants discharged.

4.2 Corrective Actions and Deadlines.

4.2.1 Immediate Actions.

In all circumstances, you must immediately take all reasonable steps necessary to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events.

Note: In this context, the term "immediately" requires you to, on the same day a condition requiring corrective action is found, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to initiate corrective action, the initiation of corrective action must begin on the following work day.

4.2.2 Subsequent Actions.

If you determine that additional changes are necessary beyond those implemented pursuant to Part 4.2.1, you must install a new or modified control and make it operational, or complete the repair, before the next storm event if possible, and within 14 calendar days from the time of discovery. If it is infeasible to complete the installation or repair within 14 calendar days, you must document why it is infeasible to complete the installation or repair within the 14-day timeframe. You must also identify your schedule for completing the work, which must be done as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery.

Where your corrective actions result in changes to any of the controls or procedures documented in your SWPPP, you must modify your SWPPP accordingly within 14 calendar days of completing corrective action work.

These time intervals are not grace periods, but are schedules considered reasonable for documenting your findings and for making repairs and improvements. They are included in this permit to ensure that the conditions prompting the need for these repairs and improvements are not allowed to persist indefinitely.

4.3 Corrective Action Documentation.

You must document the existence of any of the conditions listed in Part 4.1 within 24 hours of becoming aware of such condition. You are not required to submit your corrective action documentation to EPA, unless specifically requested to do so. Include the following information in the documentation:

- Identification and description of the condition triggering the need for corrective action review. For any spills or leaks, include the following information: a description of the incident including material, date/time, amount, location, and reason for spill, and any leaks, spills or other releases that resulted in discharges of pollutants to waters of U.S., through stormwater or otherwise;
- Date the condition was identified; and
- A discussion of whether the triggering condition requires corrective action. For any spills or leaks, include response actions, the date/time clean-up completed, notifications made, and staff involved. Also include any measures taken to prevent the reoccurrence of such releases (see Part 2.1.2.4).

You must also document the corrective actions taken that occurred as a result of the conditions listed in Part 4.1, within 14 days from the time of discovery of any of those conditions. Provide the dates when each corrective action was initiated and completed (or is expected to be completed). If applicable, document why it is infeasible to complete necessary installations or repairs within the 14-day timeframe and document your schedule for installing the controls and making them operational as soon as practicable after the 14-day timeframe.

4.4 Effect of Corrective Action.

If the event triggering the review is a permit violation (e.g., non-compliance with an effluent limit), correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation. EPA will consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations.

4.5 Substantially Identical Outfalls.

If the event triggering corrective action is linked to an outfall that represents other substantially identical outfalls, your review must assess the need for corrective action for each outfall represented by the outfall that triggered the review. Any necessary changes to control measures that affect these other outfalls must also be made before the next storm event if possible, or as soon as practicable following that storm event. Any corrective actions must be conducted within the timeframes set forth in Part 4.2.

5. Stormwater Pollution Prevention Plan (SWPPP).

You must prepare a SWPPP for your facility before submitting your NOI for permit coverage. If you prepared a SWPPP for coverage under a previous version of this NPDES permit, you must review and update the SWPPP to implement all provisions of this permit prior to submitting your NOI. The SWPPP does not contain effluent limitations; the limitations are contained in Parts 2, 8, and 9 of the permit. The SWPPP is intended to document the selection, design, and installation of control measures. As distinct from the SWPPP, the additional documentation requirements (see Part 5.5) are intended to document the implementation

(including inspection, maintenance, monitoring, and corrective action) of the permit requirements.

Note that any discharges not expressly authorized under the MSGP are not covered by the MSGP or the permit shield provision of the CWA Section 402(k) and they cannot become authorized or shielded by disclosure to EPA via the SWPPP or by any other means (e.g., during an inspection).

5.1 Person(s) Responsible for SWPPP Preparation.

The SWPPP shall be prepared in accordance with good engineering practices and to industry standards. The SWPPP may be developed by either a person on your staff or a third party you hire, and it shall be certified in accordance with the signature requirements in Part 5.2.7. If EPA concludes that the SWPPP is not in substantial compliance with Part 5.2 of this permit, EPA may require the SWPPP to be reviewed, amended as necessary, and certified by a Professional Engineer, or for Sector G, H or J, by a Professional Geologist, with the education and experience necessary to prepare an adequate SWPPP.

5.2 Contents of Your SWPPP.

For coverage under this permit, your SWPPP must contain all of the following elements:

- Stormwater pollution prevention team (see Part 5.2.1);
- Site description (see Part 5.2.2);
- Summary of potential pollutant sources (see Part 5.2.3);
- Description of control measures (see Part 5.2.4);
- Schedules and procedures (see Part 5.2.5);
- Documentation to support eligibility considerations under other federal laws (see Part 5.2.6); and
- Signature requirements (see Part 5.2.7).

Where your SWPPP refers to procedures in other facility documents, such as a Spill Prevention, Control and Countermeasure (SPCC) Plan or an Environmental Management System (EMS), copies of the relevant portions of those documents must be kept with your SWPPP.

5.2.1 Stormwater Pollution Prevention Team.

You must identify the staff members (by name or title) that comprise the facility's stormwater pollution prevention team as well as their individual responsibilities. Your stormwater pollution prevention team is responsible for overseeing development of the SWPPP, any later modifications to it, and for compliance with the requirements in this permit. Each member of the stormwater pollution prevention team must have ready access to either an electronic or paper copy of applicable portions of this permit, the most updated copy of your SWPPP, other relevant documents or information that must be kept with the SWPPP.

5.2.2 Site Description.

Your SWPPP must include the following:

- *Activities at the Facility.* Provide a description of the nature of the industrial activities at your facility.

- *General location map.* Provide a general location map (e.g., U.S. Geological Survey (USGS) quadrangle map) with enough detail to identify the location of your facility and all receiving waters for your stormwater discharges.
- *Site map.* Provide a map showing:
 - Boundaries of the property and the size of the property in acres;
 - Location and extent of significant structures and impervious surfaces;
 - Directions of stormwater flow (use arrows);
 - Locations of all stormwater control measures;
 - Locations of all receiving waters, including wetlands, in the immediate vicinity of your facility. Indicate which waterbodies are listed as impaired and which are identified by your state tribe or EPA as Tier 2 or Tier 2.5 waters;
 - Locations of all stormwater conveyances including ditches, pipes, and swales;
 - Locations of potential pollutant sources identified under Part 5.2.3.2;
 - Locations where significant spills or leaks identified under Part 5.2.3.3 have occurred;
 - Locations of all stormwater monitoring points;
 - Locations of stormwater inlets and outfalls, with a unique identification code for each outfall (e.g., Outfall No. 1, No. 2), indicating if you are treating one or more outfalls as "substantially identical" under Parts 3.2.3, 5.2.5.3, and 6.1.1, and an approximate outline of the areas draining to each outfall;
 - If applicable, municipal separate storm sewer systems and where your stormwater discharges to them;
 - Areas of federally-listed critical habitat for endangered or threatened species, if applicable.
 - Locations of the following activities where such activities are exposed to precipitation:
 - fueling stations;
 - vehicle and equipment maintenance and/or cleaning areas;
 - loading/unloading areas;
 - locations used for the treatment, storage, or disposal of wastes;
 - liquid storage tanks;
 - processing and storage areas;
 - immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
 - transfer areas for substances in bulk; and
 - machinery.
 - Locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants.

5.2.3 Summary of Potential Pollutant Sources.

You must document areas at your facility where industrial materials or activities are exposed to stormwater or from which allowable non-stormwater discharges may be released. Industrial materials or activities include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate products, by-products, final products, and waste products. *Material handling activities* include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product. For structures located in areas of industrial activity, you must be aware that the structures themselves are potential sources of pollutants. This could occur, for example, when metals such as aluminum or copper are leached from the structures as a result of acid rain.

For each area identified, the description must include:

5.2.3.1 Activities in the Area. A list of the industrial activities exposed to stormwater (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams).

5.2.3.2 Pollutants. A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, and cleaning solvents) associated with each identified activity, which could be exposed to rainfall or snowmelt and could be discharged from your facility. The pollutant list must include all significant materials that have been handled, treated, stored, or disposed, and that have been exposed to stormwater in the three years prior to the date you prepare or amend your SWPPP.

5.2.3.3 Spills and Leaks. You must document where potential spills and leaks could occur that could contribute pollutants to stormwater discharges, and the corresponding outfall(s) that would be affected by such spills and leaks. You must document all significant spills and leaks of oil or toxic or hazardous pollutants that actually occurred at exposed areas, or that drained to a stormwater conveyance, in the three years prior to the date you prepare or amend your SWPPP.

Note: Significant spills and leaks include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under CWA Section 311 (see 40 CFR 110.6 and 40 CFR 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC §9602. This permit does not relieve you of the reporting requirements of 40 CFR 110, 40 CFR 117, and 40 CFR 302 relating to spills or other releases of oils or hazardous substances.

5.2.3.4 Non-Stormwater Discharges. You must document that you have evaluated for the presence of non-stormwater discharges. If non-stormwater discharges requiring NPDES permit coverage other than those specifically authorized in Part 1.1.3 will be discharged, such non-stormwater discharges are not covered by this permit or the permit shield provision of the CWA Section 402(k) and must be covered under another NPDES permit.

Documentation of your evaluation must include:

- The date of the evaluation;
- A description of the evaluation criteria used;
- A list of the outfalls or onsite drainage points that were directly observed during the evaluation; and

- The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), or documentation that a separate NPDES permit was obtained. For example, a floor drain was sealed, a sink drain was re-routed to sanitary, or an NPDES permit application was submitted for an unauthorized cooling water discharge.

5.2.3.5 Salt Storage. You must document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes.

5.2.3.6 Sampling Data. You must summarize all stormwater discharge sampling data collected at your facility during the previous permit term.

5.2.4 Description of Control Measures to Meet Technology-Based and Water Quality-Based Effluent Limits.

You must document the location and type of control measures you have specifically chosen and/or designed to comply with:

- Effluent limits in Part 2.1.2;
- Applicable effluent limitations guidelines-based limits in Part 2.1.3;
- Water quality-based effluent limits in Part 2.2;
- Any agreed-upon endangered species requirements in Part 2.3; and
- Applicable effluent limits in Parts 8 and 9.

Regarding your control measures, you must also document, as appropriate:

- How you addressed the selection and design considerations in Part 2.1.1.
- How they address the pollutant sources identified in Part 5.2.3.

Effluent limit requirements in Part 2.1.2 that do not involve the site-specific selection of a control measure or are specific activity requirements (e.g., "drain fluids from equipment and vehicles that will be decommissioned") are marked with an asterisk (*). For the requirements marked with an asterisk, you may include extra information (e.g., the types of vehicles/equipment to be drained of fluids and fate of those fluids, or you may just "cut-and-paste" these effluent limits verbatim into your SWPPP without providing additional documentation.

5.2.5 Schedules and Procedures.

5.2.5.1 Pertaining to Control Measures Used to Comply with the Effluent Limits in Part 2. The following must be documented in your SWPPP:

- Good Housekeeping (See Part 2.1.2.2) – A schedule for regular pickup and disposal of waste materials, along with routine inspections for leaks and conditions of drums, tanks and containers;
- Maintenance (See Part 2.1.2.3) – Preventative maintenance procedures, including regular inspections, testing, maintenance and repair of all control measures to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line. The SWPPP shall include the schedule or frequency for maintaining all control measures used to comply with the effluent limits in Part 2;

- Spill Prevention and Response Procedures (See Part 2.1.2.4) – Procedures for preventing and responding to spills and leaks, including notification procedures. For preventing spills, include in your SWPPP the control measures for material handling and storage, and the procedures for preventing spills that can contaminate stormwater. Also specify cleanup equipment, procedures and spill logs, as appropriate, in the event of spills. You may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) developed for the facility under Section 311 of the CWA or BMP programs otherwise required by an NPDES permit for the facility, provided that you keep a copy of that other plan onsite and make it available for review consistent with Part 5.4;
- Erosion and Sediment Control (Part 2.1.2.8) – If you use polymers and/or other chemical treatments as part of your controls, you must identify the polymers and/or chemicals used and the purpose; and
- Employee Training (Part 2.1.2.8) – The elements of your employee training plan shall include all, but not be limited to, the requirements set forth in Part 2.1.2.8, and also the following:
 - The content of the training; The frequency/schedule of training for employees who have duties in areas of industrial activities subject to this permit;
 - A log of the dates on which specific employees received training.

5.2.5.2 Pertaining to Inspections. You must document in your SWPPP your procedures for performing, as appropriate, the types of inspections specified by this permit, including:

- Routine facility inspections (see Part 3.1) and;
- Quarterly visual assessment of stormwater discharges (see Part 3.2).

For each type of inspection performed, your SWPPP must identify:

- Person(s) or positions of person(s) responsible for inspection;
- Schedules for conducting inspections, including tentative schedule for facilities in climates with irregular stormwater runoff discharges (see Part 3.2.3); and
- Specific items to be covered by the inspection, including schedules for specific outfalls.

If you are invoking the exception for inactive and unstaffed sites relating to routine facility inspections and quarterly visual assessments, you must include in your SWPPP the information to support this claim as required by Parts 3.1.1 and 3.2.3.

5.2.5.3 Pertaining to Monitoring. You must document in your SWPPP your procedures for conducting the five types of analytical monitoring specified by this permit, where applicable to your facility, including:

- Benchmark monitoring (see Part 6.2.1);
- Effluent limitations guidelines monitoring (see Part 6.2.2);
- State- or tribal-specific monitoring (see Part 6.2.3);
- Impaired waters monitoring (see Part 6.2.4); and
- Other monitoring as required by EPA (see Part 6.2.5).

For each type of monitoring, your SWPPP must document:

- Locations where samples are collected, including any determination that two or more outfalls are substantially identical;
- Parameters for sampling and the frequency of sampling for each parameter;
- Schedules for monitoring at your facility, including schedule for alternate monitoring periods for climates with irregular stormwater runoff (see Part 6.1.6);
- Any numeric control values (benchmarks, effluent limitations guidelines, TMDL-related requirements, or other requirements) applicable to discharges from each outfall; and
- Procedures (e.g., responsible staff, logistics, laboratory to be used) for gathering storm event data, as specified in Part 6.1.

If you are invoking the exception for inactive and unstaffed sites for benchmark monitoring, you must include in your SWPPP the information to support this claim as required by Part 6.2.1.3.

You must document the following in your SWPPP if you plan to use the substantially identical outfall exception for your quarterly visual assessment requirements in Part 3.2.3 or your benchmark monitoring requirements in Part 6.2.1:

- Location of each of the substantially identical outfalls;
- Description of the general industrial activities conducted in the drainage area of each outfall;
- Description of the control measures implemented in the drainage area of each outfall;
- Description of the exposed materials located in the drainage area of each outfall that are likely to be significant contributors of pollutants to stormwater discharges;
- An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%); and
- Why the outfalls are expected to discharge substantially identical effluents.

5.2.6 Documentation to Support Eligibility Considerations Under Other Federal Laws.

5.2.6.1 Documentation Regarding Endangered Species. You must keep with your SWPPP the documentation supporting your determination with regard to Part 1.1.4.5 (Endangered and Threatened Species and Critical Habitat Protection).

5.2.6.2 Documentation Regarding Historic Properties. You must keep with your SWPPP the documentation supporting your determination with regard to Part 1.1.4.6 (Historic Properties Preservation).

5.2.7 Signature Requirements.

You must sign and date your SWPPP in accordance with Appendix B, Subsection 11, including the date of signature.

5.3 Required SWPPP Modifications.

You must modify your SWPPP based on the corrective actions and deadlines required under Part 4.2 and that you documented under Part 4.3, such that the triggering conditions for

corrective action in Part 4.1 do not reoccur. SWPPP modifications must be signed and dated in accordance with Appendix B, Subsection 11.

5.4 SWPPP Availability.

You must retain a complete copy of your current SWPPP required by this permit at the facility in any accessible format. A complete SWPPP includes any documents incorporated by reference and all documentation supporting your permit eligibility pursuant to Part 5.2.6 of this permit, as well as your signed and dated certification page. Regardless of the format, the SWPPP must be immediately available to facility employees, EPA, a state or tribe, the operator of an MS4 receiving discharges from the site; and representatives of the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) at the time of an onsite inspection. Your current SWPPP or certain information from your current SWPPP described below must also be made available to the public (except any confidential business information (CBI) or restricted information (as defined in Appendix A)), but you must clearly identify those portions of the SWPPP that are being withheld from public access; to do so, you must comply with one of the following two options:

5.4.1 SWPPP Posting on the Internet.

If you provide a URL in your NOI where your SWPPP can be found, and maintain your current SWPPP at this URL, you will have complied with the public availability requirements for the SWPPP. To remain current, you must post any SWPPP modifications, records and other reporting elements required for the previous year at the same URL as the main body of the SWPPP. The SWPPP update shall be no later than 45 days after conducting the fourth (i.e., final) routine facility inspection for the year required in Part 3.1. If you did not provide a SWPPP URL in your NOI, you may reopen your NOI at any time subsequent to your original NOI submittal to add a URL where your current SWPPP can be found. You are not required to post any confidential business CBI or restricted information (as defined in Appendix A) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access. CBI may not be withheld from those staff cleared for CBI review within EPA, USFWS or NMFS.

5.4.2 SWPPP Information Provided on NOI Form.

If you did not provide a SWPPP URL in your NOI, your NOI must include the information required by Part 7.3. Irrespective of this requirement, EPA may provide access to portions of your SWPPP to a member of the public upon request (except any CBI or restricted information (as defined in Appendix A)).

5.5 Additional Documentation Requirements.

You are required to keep the following inspection, monitoring, and certification records with your SWPPP that together keep your records complete and up-to-date, and demonstrate your full compliance with the conditions of this permit:

- A copy of the NOI submitted to EPA along with any correspondence exchanged between you and EPA specific to coverage under this permit;
- A copy of the acknowledgment you receive from the eNOI system assigning your NPDES ID;
- A copy of this permit (an electronic copy easily available to SWPPP personnel is also acceptable);

- Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Part 2.1.2.3);
- All inspection reports, including the Routine Facility Inspection Reports (see Part 3.1) and Quarterly Visual Assessment Reports (see Part 3.2);
- Description of any deviations from the schedule for visual assessments and/or monitoring, and the reason for the deviations (e.g., adverse weather or it was impracticable to collect samples within the first 30 minutes of a measurable storm event) (see Parts 3.2.3, 6.1.4, and 6.2.1.2);
- Description of any corrective action triggering event/condition listed in Part 4.1 and documented per Part 4.3;
- Documentation of any benchmark exceedances and the type of response to the exceedance you employed, including:
 - the corrective action taken;
 - a finding that the exceedance was due to natural background pollutant levels, or;
 - a finding that no further pollutant reductions were technologically available and economically practicable and achievable in light of best industry practice consistent with Part 6.2.1.2.
- Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if you discharge directly to impaired waters, and that such pollutants were not detected in your discharge or were solely attributable to natural background sources (see Part 6.2.1.2); and
- Documentation to support your claim that your facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections (see Part 3.1), quarterly visual assessments (see Part 3.2), and/or benchmark monitoring (see Part 6.2.1.3).

6. Monitoring.

You must collect and analyze stormwater samples and document monitoring activities consistent with the procedures described in Part 6 and Appendix B, Subsections 10 – 12, and any additional sector-specific or state/tribal-specific requirements in Parts 8 and 9, respectively. Refer to Part 7 for reporting and recordkeeping requirements.

6.1 Monitoring Procedures.

6.1.1 Monitored Outfalls.

Applicable monitoring requirements apply to each outfall authorized by this permit, except as otherwise exempt from monitoring as a “substantially identical outfall.” If your facility has two or more outfalls that you believe discharge substantially identical effluents, based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to stormwater, and runoff coefficients of their drainage areas, you may monitor the effluent of just one of the outfalls and report that the results also apply to the substantially identical outfall(s). As required in Part 5.2.5.3, your SWPPP must identify each outfall authorized by this permit and describe the rationale for any substantially identical outfall determinations. The allowance for monitoring only one of the substantially identical outfalls is not applicable to any outfalls with numeric effluent limitations. You are required to monitor each outfall covered by a numeric effluent limit as identified in Part 6.2.2.

6.1.2 Commingled Discharges.

If discharges authorized by this permit commingle with discharges not authorized under this permit, any required sampling of the authorized discharges must be performed at a point before they mix with other waste streams, to the extent practicable.

6.1.3 Measurable Storm Events.

All required monitoring must be performed on a storm event that results in an actual discharge from your site ("measurable storm event") that follows the preceding measurable storm event by at least 72 hours (3 days). The 72-hour (3-day) storm interval does not apply if you are able to document that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period. In the case of snowmelt, the monitoring must be performed at a time when a measurable discharge occurs at your site.

For each monitoring event, except snowmelt monitoring, you must identify the date and duration (in hours) of the rainfall event, rainfall total (in inches) for that rainfall event, and time (in days) since the previous measurable storm event. For snowmelt monitoring, you must identify the date of the sampling event.

6.1.4 Sample Type.

You must take a minimum of one grab sample from a discharge resulting from a measurable storm event as described in Part 6.1.3. Samples must be collected within the first 30 minutes of a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable storm event, the sample must be collected as soon as practicable after the first 30 minutes and documentation must be kept with the SWPPP explaining why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, samples must be taken during a period with a measurable discharge.

6.1.5 Adverse Weather Conditions.

When adverse weather conditions as described in Part 3.2.3 prevent the collection of samples according to the relevant monitoring schedule, you must take a substitute sample during the next qualifying storm event. Adverse weather does not exempt you from having to file a benchmark monitoring report in accordance with your sampling schedule. You must report any failure to monitor as specified in Part 7.4 indicating the basis for not sampling during the usual reporting period.

6.1.6 Climates with Irregular Stormwater Runoff.

If your facility is located in areas where limited rainfall occurs during parts of the year (e.g., arid or semi-arid climates) or in areas where freezing conditions exist that prevent runoff from occurring for extended periods, required monitoring events may be distributed during seasons when precipitation occurs, or when snowmelt results in a measurable discharge from your site. You must still collect the required number of samples.

6.1.7 Monitoring Periods.

Monitoring requirements in this permit begin in the first full quarter following either January 1, 2014 or your date of discharge authorization, whichever date comes later. If your monitoring is

required on a quarterly basis (e.g., benchmark monitoring), you must monitor at least once in each of the following 3-month intervals:

- January 1 – March 31;
- April 1 – June 30;
- July 1 – September 30; and
- October 1 – December 31.

For example, if you obtain permit coverage on June 2, 2014, then your first monitoring quarter is July 1 - September 30, 2014. This monitoring schedule may be modified in accordance with Part 6.1.6 if the revised schedule is documented with your SWPPP and provided to EPA with your first monitoring report.

6.1.8 Monitoring for Allowable Non-Stormwater Discharges.

You are only required to monitor allowable non-stormwater discharges (as delineated in Part 1.1.3) when they are commingled with stormwater discharges associated with industrial activity.

6.2 Required Monitoring.

This permit includes five types of required analytical monitoring, one or more of which may apply to your discharge:

- Quarterly benchmark monitoring (see Part 6.2.1)
- Annual effluent limitations guidelines monitoring (see Part 6.2.2);
- State- or tribal-specific monitoring (see Part 6.2.3);
- Impaired waters monitoring (see Part 6.2.4); and
- Other monitoring as required by EPA (see Part 6.2.5).

When more than one type of monitoring for the same parameter at the same outfall applies (e.g., total suspended solids once per year for an effluent limit and once per quarter for benchmark monitoring at a given outfall), you may use a single sample to satisfy both monitoring requirements (i.e., one sample satisfying both the annual effluent limit sample and one of the four quarterly benchmark monitoring samples).

All required monitoring must be conducted in accordance with the procedures described in Appendix B, Subsection 10.D.

6.2.1 Benchmark Monitoring.

This permit specifies pollutant benchmark concentrations that are applicable to certain sectors / subsectors. Benchmark monitoring data are primarily for your use to determine the overall effectiveness of your control measures and to assist you in knowing when additional corrective action(s) may be necessary to comply with the effluent limitations in Part 2.

The benchmark concentrations are not effluent limitations; a benchmark exceedance, therefore, is not a permit violation. However, if corrective action is required as a result of a benchmark exceedance, failure to conduct required corrective action is a permit violation.

At the Permittee's discretion, more than four samples may be taken during separate runoff events and used to determine the average benchmark parameter concentration for facility discharges.

6.2.1.1 Applicability of Benchmark Monitoring. You must monitor for any benchmark parameters specified for the industrial sector(s), both primary industrial activity and any co-located industrial activities, applicable to your discharge. Your industry-specific benchmark concentrations are listed in the sector-specific sections of Part 8. If your facility is in one of the industrial sectors subject to benchmark concentrations that are hardness-dependent, you are required to submit to EPA with your first benchmark report a hardness value, established consistent with the procedures in Appendix J, that is representative of your receiving water.

Samples must be analyzed consistent with 40 CFR Part 136 analytical methods and using test procedures with quantitation limits at or below benchmark values for all benchmark parameters for which you are required to sample.

6.2.1.2 Benchmark Monitoring Schedule. Benchmark monitoring must be conducted quarterly, as identified in Part 6.1.7, for your first four full quarters of permit coverage commencing no earlier than January 1, 2014. Facilities in climates with irregular stormwater runoff, as described in Part 6.1.6, may modify this quarterly schedule provided that this revised schedule is reported to EPA when the first benchmark sample is collected and reported, and that this revised schedule is kept with the facility's SWPPP as specified in Part 5.5. When conditions prevent you from obtaining four samples in four consecutive quarters, you must continue monitoring until you have the four samples required for calculating your benchmark monitoring average.

Data not exceeding benchmarks: After collection of four quarterly samples, if the average of the four monitoring values for any parameter does not exceed the benchmark, you have fulfilled your monitoring requirements for that parameter for the permit term.

Data exceeding benchmarks: After collection of four quarterly samples, if the average of the four monitoring values for any parameter exceeds the benchmark, you must, in accordance with Part 4, review the selection, design, installation, and implementation of your control measures to determine if modifications are necessary to meet the effluent limits in this permit, and either:

- Make the necessary modifications and continue quarterly monitoring until you have completed four additional quarters of monitoring for which the average does not exceed the benchmark; or
- Make a determination that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice to meet the technology-based effluent limits or are necessary to meet the water-quality-based effluent limitations in Parts 2.1 and 2.2 of this permit, in which case you must continue monitoring once per year. You must also document your rationale for concluding that no further pollutant reductions are achievable, and retain all records related to this documentation with your SWPPP.

In accordance with Part 4, you must review your control measures and perform any required corrective action immediately (or document why no corrective action is required), without waiting for the full four quarters of monitoring data, if an exceedance of the four quarter average is mathematically certain. If after modifying your control measures and conducting four additional quarters of monitoring, your average still exceeds the benchmark (or if an exceedance of the benchmark by the four quarter average is mathematically certain prior to conducting the full four additional quarters of monitoring), you must again review your control measures and take one of the two actions above.

Natural background pollutant levels: Following the first four quarters of benchmark monitoring (or sooner if the exceedance is triggered by less than four quarters of data, see above), if the average concentration of a pollutant exceeds a benchmark value, and you determine that exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background, you are not required to perform corrective action or additional benchmark monitoring provided that:

- The average concentration of your benchmark monitoring results is less than or equal to the concentration of that pollutant in the natural background;
- You document and maintain with your SWPPP, as required in Part 5.5, your supporting rationale for concluding that benchmark exceedances are in fact attributable solely to natural background pollutant levels. You must include in your supporting rationale any data previously collected by you or others (including literature studies) that describe the levels of natural background pollutants in your stormwater discharge; and
- You notify EPA on your final quarterly benchmark monitoring report that the benchmark exceedances are attributable solely to natural background pollutant levels.

Natural background pollutants include those substances that are naturally occurring in soils or ground water. Natural background pollutants do not include legacy pollutants from earlier activity on your site, or pollutants in run-on from neighboring sources which are not naturally occurring, such as other industrial sites or roadways. However, permittees may be eligible to discontinue monitoring for pollutants that occur solely from run-on sources and should consult the appropriate EPA Regional Office for related guidance.

6.2.1.3 Exception for Inactive and Unstaffed Sites. The requirement for benchmark monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater. To invoke this exception, you must do the following:

- Maintain a statement with your SWPPP stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater in accordance with the substantive requirements in 40 CFR 122.26(g) and sign and certify the statement in accordance with Appendix B, Subsection 11; and
- If circumstances change and industrial materials or activities become exposed to stormwater or your facility becomes active and/or staffed, this exception no longer applies and you must immediately begin complying with the applicable benchmark monitoring requirements under Part 6.2 as if you were in your first year

- of permit coverage. You must indicate in your NOI that your facility has materials or activities exposed to stormwater or has become active and/or staffed.
- If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then you must notify EPA of this change in your next benchmark monitoring report. You may discontinue benchmark monitoring once you have notified EPA, and prepared and signed the certification statement described above concerning your facility's qualification for this special exception.

Note: This exception has different requirements for Sectors G, H, and J (see Part 8).

6.2.2 Effluent Limitations Monitoring.

6.2.2.1 Monitoring Based on Effluent Limitations Guidelines. Table 6-1 identifies the stormwater discharges subject to effluent limitation guidelines that are authorized for coverage under this permit. Beginning in the first full quarter following January 1, 2014 or your date of discharge authorization, whichever date comes later, you must monitor once per year at each outfall containing the discharges identified in Table 6-1 for the parameters specified in the sector-specific section of Part 8.

Table 6-1. Required Monitoring for Effluent Limits Based on Effluent Limitations Guidelines

Regulated Activity	Effluent Limit	Monitoring Frequency	Sample Type
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	See Part 8.A.7	1/year	Grab
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	See Part 8.C.4	1/year	Grab
Runoff from asphalt emulsion facilities	See Part 8.D.4	1/year	Grab
Runoff from material storage piles at cement manufacturing facilities	See Part 8.E.5	1/year	Grab
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	See Part 8.J.9	1/year	Grab
Runoff from hazardous waste landfills	See Part 8.K.6	1/year	Grab
Runoff from non-hazardous waste landfills	See Part 8.L.10	1/year	Grab
Runoff from coal storage piles at steam electric generating facilities	See Part 8.O.8	1/year	Grab
Existing and new primary airports with 1,000 or more annual jet departures that discharge wastewater associated with airfield pavement deicing that contains urea commingled with stormwater	See Part 8.S.7	1/year	Grab

6.2.2.2 Substantially Identical Outfalls. You must monitor each outfall discharging runoff from any regulated activity identified in Table 6-1. The substantially identical outfall monitoring provisions are not available for numeric effluent limits monitoring.

6.2.2.3 Follow-up Actions if Discharge Exceeds Numeric Effluent Limit. You must conduct follow-up monitoring within 30 calendar days (or during the next qualifying runoff event, should

none occur within 30 days) of implementing corrective action(s) taken pursuant to Part 4 in response to an exceedance of a numeric effluent limit contained in this permit. See Part 9 for specific monitoring requirements applicable to individual states or tribes. Monitoring must be performed for any pollutant(s) that exceeds the effluent limit. If this follow-up monitoring exceeds the applicable effluent limitation, you must:

- **Submit an Exceedance Report:** You must submit an Exceedance Report no later than 30 days after you have received your lab result consistent with Part 7.6; and
- **Continue to Monitor:** You must monitor, at least quarterly, until your discharge is in compliance with the effluent limit or until EPA waives the requirement for additional monitoring.

6.2.3 State or Tribal Monitoring Provisions.

6.2.3.1 Sectors Required to Conduct State or Tribal Monitoring. You must comply with any state or tribal monitoring requirements (see Part 9) applicable to your facility's location.

6.2.3.2 State or Tribal Monitoring Schedule. If a monitoring frequency is not specified for an applicable requirement in Part 9, you must monitor once per year for the entire permit term.

6.2.4 Discharges to Impaired Waters Monitoring.

6.2.4.1 Permittees Required to Monitor Discharges to Impaired Waters. If you discharge to an impaired water, you must monitor all pollutants for which the waterbody is impaired and for which a standard analytical method exists (see 40 CFR Part 136). See EPA's Discharge Mapping Tool which provides information on the impairment status of the water, potential pollutants of concern, as well as applicable total maximum daily loads (TMDLs). For the purposes of this permit, a permittee discharges to an impaired water if the discharge flows directly to the impaired water.

Note: Your project will be considered to discharge to an impaired water if the first water of the U.S. to which you discharge is identified by a state, tribe, or EPA pursuant to Section 303(d) of the CWA as not meeting an applicable water quality standard, or is included in an EPA-approved or established total maximum daily load (TMDL). For discharges that enter a storm sewer system prior to discharge, the first water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

If the pollutant of concern for the impaired waterbody is suspended solids, turbidity or sediment/sedimentation, you must monitor for Total Suspended Solids (TSS). If a pollutant of concern is expressed in the form of an indicator or surrogate pollutant, you must monitor for that indicator or surrogate pollutant. No monitoring is required when a waterbody's biological communities are impaired but no pollutant, including indicator or surrogate pollutants, is specified as causing the impairment, or when a waterbody's impairment is related to hydrologic modifications, impaired hydrology, or other non-pollutant. Permittees should consult the appropriate EPA Regional Office for any available guidance regarding required monitoring parameters under this part.

If the Discharge Mapping Tool does not provide the information you need, you may consult the appropriate EPA Regional Office for guidance regarding required monitoring parameters under this part.

6.2.4.2 Impaired Waters Monitoring and Schedule.

Discharges to impaired waters without an applicable EPA-approved or established TMDL WLA: Beginning in the first full quarter following January 1, 2014 or your date of discharge authorization, whichever date comes later, you must monitor once per year at each outfall (except substantially identical outfalls) discharging stormwater to impaired waters without an applicable EPA-approved or established TMDL waste load allocation. This monitoring requirement no longer applies once the pollutant of concern is not detected above natural background levels in your stormwater monitoring results, and you document, as required in Part 5.5 (Additional Documentation Requirements), that this pollutant is not expected to be present above natural background levels in your discharge.

If the pollutant of concern is not present and not expected to be present in your discharge, or it is present but you have determined that its presence is caused solely by natural background sources, you must include a notification to this effect in your first monitoring report, after which you may discontinue monitoring. To support a determination that the pollutant's presence is caused solely by natural background sources, you must document and maintain with your SWPPP, as required by Part 5.5:

- An explanation of why you believe that the presence of the pollutant of concern in your discharge is not related to the activities or materials at your facility; and
- Data and/or studies that tie the presence of the pollutant of concern in your discharge to natural background sources in the watershed.

Natural background pollutants include those that occur naturally as a result of native soils, and vegetation, wildlife, or ground water. Natural background pollutants do not include legacy pollutants from earlier activity on your site, or pollutants in run-on from neighboring sources that are not naturally occurring. However, permittees may be eligible to discontinue annual monitoring for pollutants that occur solely from these sources and should consult the appropriate EPA Regional Office for related guidance.

Discharges to impaired waters with an EPA-approved or established TMDL WLA: For stormwater discharges to waters for which there is an EPA approved or established TMDL waste load allocation, you are not required to monitor for the pollutant for which the TMDL was written unless EPA informs you, upon examination of the applicable TMDL and/or WLA, that you are subject to such a requirement consistent with the assumptions of the applicable TMDL and/or WLA. EPA's notice will include specifications on which pollutant to monitor and the required monitoring frequency. Permittees must consult the appropriate EPA Regional Office for guidance regarding required monitoring under this part.

6.2.5 Additional Monitoring Required by EPA.

EPA may notify you of additional discharge monitoring requirements. Any such notice will briefly state the reasons for the monitoring, locations, and parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

7. Reporting and Recordkeeping.

7.1 Electronic Reporting Requirement.

You must submit all NOIs, NOTs, NOEs, Annual Reports, Discharge Monitoring Reports (DMRs), and other reporting information as appropriate electronically, unless you have received a waiver from your regional office based on one of the following conditions:

- If your headquarters is physically located in a geographic area (i.e., zip code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission; or
- If you have limitations regarding available computer access or computer capability.

Waivers are only granted for a one-time use for a single information submittal, i.e., an initial waiver does not apply for the entire term of the permit. If you need to submit information on paper after your first waiver, you must apply for a new waiver.

If you wish to obtain a waiver from submitting a report electronically, you must submit a request to your EPA Regional Office. EPA Regional Office contact information can be found in Part 7.9.1 of this permit. In that request you must document which exemption you meet, provide evidence supporting any claims, and a copy of your completed NOI form. A waiver may only be considered granted once you receive written confirmation from EPA or its authorized representative. Any paper version of a document or form for which you have been granted a waiver must be sent to the approving EPA Regional Office at the address in Part 7.9.1.

7.2 Submitting Information to EPA.

All information required to be submitted by this permit shall be submitted via EPA's electronic NOI system, or "eNOI system", per Part 7.1 unless the permit states otherwise or unless a waiver has been granted pursuant to Part 7.1. The eNOI system allows you to both prepare and submit required information using specific forms or suggested templates, found in the permit's appendices. To access the eNOI system, go to www.epa.gov/npdes/stormwater/msgpenoi.

Information required to be submitted to EPA via the eNOI System:

- Notice of Intent (Part 1.3.1);
- No Exposure Certification (Part 1.5);
- Notice of Termination (Part 1.4.1);
- Discharge Monitoring Reports (Part 7.4); and
- Annual Report (Part 7.5).

If you are given a waiver by the EPA Regional Office to submit information in paper form, you must utilize the required forms found in the Appendices to this permit and submit the above forms directly to your EPA Regional Office at the address in Part 7.9.1.

Information required to be submitted to an EPA Regional office at the address in Part 7.9.1:

- New Dischargers to Water Quality-Impaired Waters (Part 1.1.4.8);
- Exceedance Report for Numeric Effluent Limits (Part 7.6); and
- Additional Reporting (Part 7.7)

7.3 Additional SWPPP Information Required in Your NOI.

If you did not provide a SWPPP URL in your NOI per Part 5.4.1, your NOI must include the additional SWPPP information as follows:

- Onsite industrial activities exposed to stormwater, including potential spill and leak areas (see Parts 5.2.3.1, 5.2.3.3 and 5.2.3.5);
- Pollutants or pollutant constituents associated with each industrial activity exposed to stormwater that could be discharged in stormwater and/or any authorized non-stormwater discharges listed in Part 1.1.3 (see Part 5.2.3.2);
- Stormwater control measures you employ to comply with the non-numeric technology-based effluent limits required in Part 2.1.2 and Part 8, and any other measures taken to comply with the requirements in Part 2.2 Water Quality -Based Effluent Limitations (see Part 5.2.4). If you use polymers and/or other chemical treatments as part of your controls, you must identify the polymers and/or chemicals used and the purpose; and
- Schedule for good housekeeping and maintenance (see Part 5.2.5.1) and schedule for all inspections required in Part 3 (see Part 5.2.5.2).

7.4 Reporting Monitoring Data to EPA.

All monitoring data collected pursuant to Part 6.2 must be submitted to EPA using EPA's online eNOI system (www.epa.gov/npdes/eNOI) (unless a waiver from electronic reporting has been granted) no later than 30 days (email date or postmark date) after you have received your complete laboratory results for all monitored outfalls for the reporting period. If you have received a waiver per Part 7.1, paper reporting forms must be submitted by the same deadline to the appropriate address identified in Part 7.9.1. See Part 9 for specific reporting requirements applicable to individual states or tribes.

For benchmark monitoring, note that you are required to submit sampling results to EPA no later than 30 days after receiving laboratory results for each quarter that you are required to collect benchmark samples, in accordance with Part 6.2.1.2. If you collect multiple samples in a single quarter (e.g., due to adverse weather conditions, climates with irregular stormwater runoff, or areas subject to snow), you are required to submit all sampling results to EPA within 30 days of receiving the laboratory results.

7.5 Annual Report.

You must submit an Annual Report to EPA electronically, per Part 7.2, by January 30th for each year of permit coverage containing information generated from the past calendar year. You must include the following information:

- The results or a summary of your past year's routine facility inspection documentation required (Part 3.1.2) and quarterly visual assessment documentation (Part 3.2.2);
- Information copied or summarized from the corrective action documentation required per Part 4 (if applicable). If corrective action is not yet completed at the time of submission of this Annual Report, you must describe the status of any outstanding corrective action(s);
- Regarding benchmark monitoring resulting in four quarter average exceedances, the rationale for why you believe that no further pollutant reductions are achievable (i.e., technologically available and economically practicable and achievable in light of best industry practices) (Part 6.2.1.2); and

- Any incidents of noncompliance observed or, if there is no noncompliance, a certification signed in accordance with Appendix B, Subsection 11 stating the facility is in compliance with this permit.

7.6 Exceedance Report for Numeric Effluent Limits.

If follow-up monitoring pursuant to Part 6.2.2.3 exceeds a numeric effluent limit, you must submit an Exceedance Report to EPA no later than 30 days after you have received your lab results. Your report must include the following:

- NPDES ID;
- Facility name, physical address and location;
- Name of receiving water;
- Monitoring data from this and the preceding monitoring event(s);
- An explanation of the situation; what you have done and intend to do (should your corrective actions not yet be complete) to correct the violation; and
- An appropriate contact name and phone number.

Send the Exceedance Report to the appropriate EPA Regional Office listed in Part 7.9.1.

7.7 Additional Reporting.

In addition to the reporting requirements stipulated in Part 7, you are also subject to the standard permit reporting provisions of Appendix B, Subsection 12.

Where applicable, you must submit the following reports to the appropriate EPA Regional Office listed in Part 7.9.1, as applicable. If you discharge through an MS4, you must also submit these reports to the MS4 operator (identified pursuant to Part 5.2.2).

- 24-hour reporting (see Appendix B, Subsection 12.F) - You must report any noncompliance which may endanger health or the environment. Any information must be provided orally within 24 hours from the time you become aware of the circumstances;
- 5-day follow-up reporting to the 24 hour reporting (see Appendix B, Subsection 12.F) - A written submission must also be provided within five days of the time you become aware of the circumstances;
- Reportable quantity spills (see Part 2.1.2.4) - You must provide notification, as required under Part 2.1.2.4, as soon as you have knowledge of a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity.

Where applicable, you must submit the following reports to the appropriate EPA Regional Office listed in Part 7.9.2, as applicable:

- Planned changes (see Appendix B, Subsection 12.A) – You must give notice to EPA promptly, no less than 60 days prior to making any planned physical alterations or additions to the permitted facility that qualify the facility as a new source or that could significantly change the nature or significantly increase the quantity of pollutants discharged;
- Anticipated noncompliance (see Appendix B, Subsection 12.B) – You must give advance notice to EPA of any planned changes in the permitted facility or activity which you anticipate will result in noncompliance with permit

- requirements;
- Compliance schedules (see Appendix B, Subsection 12.F) - Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date;
- Other noncompliance (see Appendix B, Subsection 12.G) - You must report all instances of noncompliance not reported in your monitoring report (pursuant to Part 7.1), compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and
- Other information (see Appendix B, Subsection 12.H) – You must promptly submit facts or information if you become aware that you failed to submit relevant facts in your NOI, or that you submitted incorrect information in your NOI or in any report.

7.8 Recordkeeping.

You must retain copies of your SWPPP (including any modifications made during the term of this permit), additional documentation requirements pursuant to Part 5.5 (including documentation related to corrective actions taken pursuant to Part 4), all reports and certifications required by this permit, monitoring data, and records of all data used to complete the NOI to be covered by this permit, for a period of at least three years from the date that your coverage under this permit expires or is terminated.

7.9 Addresses for Reports.

7.9.1 EPA Addresses.

If you have obtained a waiver by the EPA Regional Office to submit information in paper form, paper copies of any reports or forms and all other written correspondence concerning discharges in any state, Indian country land, territory covered under this permit and directed to the EPA, including individual permit applications, must be sent to the address of the appropriate EPA Regional Office listed below:

7.9.1.1 Region 1: Connecticut, Massachusetts, and New Hampshire, Rhode Island, Vermont.

U.S. EPA Region 1
Office of Ecosystem Protection
NPDES Stormwater Program
5 Post Office Square, Suite 100
(OEP 06-1)
Boston, MA 02109-3912

7.9.1.2 Region 2: New Jersey, New York, Puerto Rico, and Virgin Islands.

For Puerto Rico and the Virgin Islands

U.S. EPA Region 2
Caribbean Environmental Protection Division
NPDES Stormwater Program
Centro Europa Building
1492 Ponce de Leon Avenue, Suite 417
San Juan, PR 00907-4127

For New Jersey and New York:

(Coverage not available under this permit.)

U.S. EPA Region 2
NPDES Stormwater Program
290 Broadway, 24th Floor
New York, NY 10007-1866

7.9.1.3 Region 3: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.

U.S. EPA Region 3
Office of NPDES Permits and Enforcement
NPDES Permits Branch, Mailcode 3WP41
1650 Arch Street
Philadelphia, PA 19103

7.9.1.4 Region 4: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.

(Coverage not available under this permit.)

U.S. EPA Region 4
Water Protection Division
NPDES Stormwater Program
Atlanta Federal Center
61 Forsyth Street SW
Atlanta, GA 30303-3104

7.9.1.5 Region 5: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.

U.S. EPA Region 5
NPDES & Technical Support
NPDES Stormwater Program
77 W. Jackson Blvd.
Mail Code WN16J
Chicago, IL 60604-3507

7.9.1.6 Region 6: Arkansas, Louisiana, Oklahoma, Texas, and New Mexico (except see Region 9 for Navajo lands, and see Region 8 for Ute Mountain Reservation lands).

U.S. EPA Region 6
NPDES Stormwater Program
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

7.9.1.7 Region 7: Iowa, Kansas, Missouri, Nebraska.

U.S. EPA Region 7
NPDES Stormwater Program
901 N. 5th Street
Kansas City, KS 66101

7.9.1.8 Region 8: Colorado, Montana, North Dakota, South Dakota, Wyoming, Utah (except see Region 9 for Goshute Reservation and Navajo Reservation lands), the Ute Mountain Reservation in New Mexico, and the Pine Ridge Reservation in Nebraska.

U.S. EPA Region 8
NPDES Stormwater Program
999 18th Street, Suite 300
Denver, CO 80202-2466

7.9.1.9 Region 9: Arizona, California, Hawaii, Nevada, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Goshute Reservation in Utah and Nevada, the Navajo Reservation in Utah, New Mexico, and Arizona, the Duck Valley Reservation in Idaho, Fort McDermitt Reservation in Oregon.

U.S. EPA Region 9
NPDES Stormwater Program
75 Hawthorne Street
San Francisco, CA 94105-3901

7.9.1.10 Region 10: Alaska, Idaho, Oregon (except see Region 9 for Fort McDermitt Reservation), Washington.

U.S. EPA Region 10
NPDES Stormwater Program
1200 6th Avenue (OW-130)
Seattle, WA 98101-1128

7.9.2 State and Tribal Addresses.

See Part 9 (states and tribes) for the addresses of applicable states or tribes that require submission of information to their agencies.